

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Executive Office of the Mayor



OFFICE OF VICTIM SERVICES

**Sexual Assault Victims' Rights Amendment
Act
Independent Expert Consultant**

IMPORTANT NOTICE

****UPDATED****

Application Deadline: September 26, 2014 by 12:00 pm

Application shall be submitted by submitting a hard copy to the attention of:
Cortney Fisher, 1350 Pennsylvania Ave., NW, Ste. 407, Washington, DC 20004 or an
electronic copy to Cortney.fisher@dc.gov.

Introduction

The Executive Office of the Mayor, Office of Victim Services (OVS), provides Federal and District funding to local initiatives that address the issues of violent crime, public safety and criminal justice. OVS is also responsible for monitoring grantees for compliance with federal and district regulations working to build a comprehensive network of services for the citizens of the District of Columbia.

The Office of Victim Services is pleased to announce that it is seeking applications under the Sexual Assault Victims' Rights Amendment Act of 2014 for the purpose of contracting with an Independent Expert Consultant. All applications should reference the goals and objectives as outlined in the Sexual Assault Victims' Rights Amendment Act of 2014. Any proposal that does not address these specific goals and objectives will be considered INELIGIBLE and will NOT be reviewed for funding.

Availability of Funds

The funding period is **October 1, 2014 through September 30, 2015**. All grant expenditures must occur within this time frame. Any costs that are incurred either before the start of the project period or after the expiration of the project period are not allowable. Any extensions of this period of funding must be justified and negotiated on an individual basis and should not be assumed. The Office of Victim Services reserves the right to negotiate alternative funding dates if needed.

The Office of Victim Services also reserves the right to, without prior notice, reduce or cancel one or more programs listed in this RFA, reject all applications, adjust total funds available, or cancel the RFA in part or whole. Funding levels in the respective program areas and budget amount in the, if awarded, grant, grant agreement, or Memorandum of Understanding are contingent on the continued Federal or District funding, grantee performance, and/or reduction, elimination, or reallocation of federal funds by the US Congress and/or the US Department of Justice, and in accordance with applicable sections within the grant award and/or agreement.

Application Deadline

The electronic application properly executed by the Authorized Official must be submitted to the Office of Victim Services **no later than 12:00 p.m., September 26, 2014** by email to Cortney.fisher@dc.gov or via hardcopy to the attention of Cortney Fisher, Office of Victim Services, 1350 Pennsylvania Ave, NW, Ste. 407, Washington, DC 20004.

Any proposal received after the specified time will be considered INELIGIBLE and will NOT be reviewed for funding.

I. Local Appropriation (LOCAL): Sexual Assault Victims' Rights Amendment Act of 2014 Independent Expert Consultant

Purpose

The purpose of Locally Appropriated Funds in this solicitation is to retain an Independent Expert Consultant for a period of one year to carry out the mandates of the Sexual Assault Victims' Rights Amendment Act of 2014. The Sexual Assault Victims' Rights Amendment Act (SAVRAA) Independent Expert Consultant is a position designed to provide evidence-based, best practices-inspired and victim-centered guidance to the Metropolitan Police Department (MPD), Office of Victim Services, and other agencies engaged in the District of Columbia Sexual Assault Response Team (SART) regarding the investigation, prosecution, medical forensic care, and advocacy delivered to sexual assault victims in the District of Columbia. The SAVRAA Independent Expert Consultant will work with representatives from law enforcement, agency and community-based victim services agencies, prosecutorial agencies, and medical forensic providers to identify gaps in services, monitor compliance with federal and local law, and evaluate program effectiveness. Locally Appropriated Funds are authorized by the *2014 Budget Support Act for 2015*.

Eligible Applicants

Eligible applicants are individuals or academic institutions with expertise in the areas of law enforcement, advocacy, medical forensic practices, policy and procedure development, sexual assault crime, and the investigation and prosecution of sexual assault.

Match Requirement

There is no match requirement for these funds.

Letters of Support

All applications must include at least three letters of support. Letters should be representative of a multi-disciplinary support base that demonstrates the applicant's expertise in the required areas of knowledge.

Mandatory Requirements

- Bachelor's degree required. Master's or equivalent preferred. Experience commensurate with advanced education may be substituted for educational requirement.
- Demonstrated knowledge of current evidence-based practices in the area of law enforcement and investigation of sexual assault.
- Demonstrated knowledge of current evidence-based practices in the areas of community-based and agency-based victim advocacy for sexual assault victims.
- Demonstrated knowledge of current evidence-based practices in the medical forensic field related to sexual assault victims.

- Demonstrated knowledge and expertise in the area of policy and procedure development.
- Demonstrated knowledge of current evidence-based practices in the field of criminal law and prosecution related to sexual assault victims.

Required Duties

- Review and assessment of the Metropolitan Police Department's policy and protocol related to responding to reports of sexual assault in the District of Columbia to ensure compliance with evidence-based and victim-centered best practices of law enforcement investigation.
- Review and assessment of the Metropolitan Police Department's policy and protocol related to responding to reports of sexual assault in the District of Columbia to ensure internal compliance with approved policy and protocol.
- Work collaboratively with a Task Force on Sexual Assault and the stakeholders of that Task Force to recommend revisions to the Metropolitan Police Department's policy and protocol related to responding to reports of sexual assault in the District of Columbia to ensure compliance with evidence-based and victim-centered best practices of law enforcement investigation.
- Assess training provided to Metropolitan Police Department officers, detectives, recruits, and unit supervisors to ensure that the training is current on the applicable law, trauma-informed approaches to victims, and the perpetrators of sexually-based crimes. Recommend changes to training protocol to comply with evidence-based and trauma-informed best practices and ensure that all trainees are held accountable to the training material.
- Review of a random sample of MPD investigative files related to sexually-based crimes and public feedback received by MPD.
- Hold confidential interviews with MPD personnel, medical forensic professionals, prosecutors, victim advocates, and other allied professionals with knowledge of the sexual assault response team process.
- Conduct an audit of existing Physical Evidence Recovery Kits (PERKs) to determine if they have been appropriately processed.
- Protect the confidentiality of all reviewed files and records.
- Prepare a semi-annual public report that complies with statutory requirements.

- Review the case review protocols, forms, and confidentiality safeguards developed by the Sexual Assault Response Team and assess the formal and informal policies and procedures of the group. Recommend changes to policy and protocol to ensure compliance with evidence-based and victim-centered best practices.

Preferred Position Qualifications

- Demonstrated knowledge of current evidence-based practices in sexual assault response team policies and procedures.
- Demonstrated experience working with criminal justice system officials, medical professionals, community-based and agency-based advocates, and sexual assault coalitions.
- Demonstrated knowledge of the current literature regarding perpetration of and recovery from sexually-based crimes as well as best practices for prevention of, detection of, and holding offenders accountable for sexual assault.
- Demonstrated experience working with special victim populations, e.g. campus or military-based sexual assault victims, sexual assault victims from a culturally, ethnically, or religiously marginalized population, sexual assault victims who are LGBTQ.
- Demonstrated experience and knowledge of issues and current developments in the areas of sexually-based crime, victimization and justice systems.
- Extensive knowledge of management, mediation, and leadership principles.
- Demonstrated knowledge of criminal justice system, federal and District laws, and the legislative process.
- Demonstrated experience working with national and local criminal justice and victim services agencies.
- Extensive experience in applying relevant case law, statutes and regulations to develop policy and protocol.
- Exceptional planning skills in designing policy structure that reflect many levels of management and implementation, from the development of high level objectives to the breakdown of and assignment of individual projects and tasks, to the monitoring and reporting project status.

Applications that do not demonstrate the applicant's knowledge of best-practices, evidence-based, trauma-informed, and victim-centered practices in the areas of sexual assault response will not be considered.

II. GENERAL INFORMATION

Disclosure of Legal Proceedings

All applicants are required to disclose in a signed written statement provided on organizational letterhead, the truth of which is sworn or attested to by the applicant, whether the applicant, or where applicable, that its officers, partners, principals, members, associates or key employees, within the last three (3) years prior to the date of the application, has not:

- 1) been indicted or had charges brought against them (if still pending) and/or been convicted of (a) any crime or offense arising directly or indirectly from the conduct of the applicant's organization or (b) any crime or offense involving financial misconduct or fraud, or
- 2) been the subject of legal proceedings arising directly from the provision of services by the organization.

If the response is in the affirmative, the applicant shall fully describe any such indictments, charges, convictions, or legal proceedings (and the status and disposition thereof) and surrounding circumstances in writing and provide documentation of the circumstances.

Award Notification

The Office of Victim Services follows the competitive process for awarding grants in accordance with the *City-Wide Grants Manual and Sourcebook* (www.opgs.dc.gov) and all applications will be considered under the Federal and District guidelines that determine allowable expenses and activities.

The Office of Victim Services will notify all applicants of the final award decisions within 10 working days of the determination. For those applicants receiving funding, this notice will include the amount of funds to be granted, identify any unallowable costs that the application contains, note any reduction in funding from the initial request and outline the necessary steps the applicant must complete to establish the grant award.

Grievance Process

Denied applicants may request an explanation of non-award decisions in writing to:

Office of Victim Services

ATTN: FY 2014 Grant Application Inquiry

1350 Pennsylvania Ave. NW, Suite 407

Washington, DC 20004

Email: ovs@dc.gov

Please include a copy of the *Applicant Profile* with any correspondence.

Payments Provisions

The Government of the District of Columbia shall make payments on invoiced amounts in accordance with the terms of the grant agreement, which results from this RFA. Grant funds will be awarded on a cost-reimbursement basis. At any time or times before final payment and

three (3) years thereafter, the Government of the District of Columbia may conduct an audit of the grantee's expenditure statements.

Restrictions on the Use of Funds

In addition to any specific funding restrictions described in this RFA, all grantees must expend grant funds in accordance with the cost principles delineated in the Office of Management and Budget Circular A-21, Cost Principles for Educational Institutions", A-122, Cost Principles for Non-Profit Organizations", A-87, and Cost Principles for State, local and Indian Tribal Governments", Circular A-133 (Audits of States, Local Governments and Non-Profit Organization), and the U.S. Department of Justice, Office of Justice Programs, Financial Guide (<http://www.ojp.usdoj.gov/financialguide/>) and the District of Columbia *City-Wide Grants Manual and Sourcebook*. **Additionally, all District-based organizations and government agencies are not permitted to request more than 1% of their total budget for costs of travel.**

Funding to Faith-based Organizations

Applicants from faith-based organizations (FBO's) are invited and encouraged to apply for eligible grant activities described in this RFA. Faith-based organizations will be considered for awards on the same basis as other eligible applicants and will be treated on an equal basis with other grantees should they receive an award. No eligible applicant or grantee will be discriminated for or against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization. However, grant funds may not be used to engage in inherently religious activities, such as proselytizing, scripture study, or worship. Funded FBOs may, of course, engage in religious activities; however, these activities must be separate in time or location from the OVS funded program. Moreover, funded FBOs must not compel program beneficiaries to participate in inherently religious activities. Funded faith-based organizations must also not discriminate on the basis of religion in the delivery of services or benefits.

Civil Rights Requirements

Successful applicants must be able to demonstrate compliance with federal and District Civil Rights Requirements.

Applicants must agree to comply with all applicable federal civil rights laws; make every effort to provide accessible programming to individuals with Limited English Proficiency; and comply with federal regulation 28 C.F.R. Part 38, governing "Equal Treatment for Faith based Organizations" (the Equal Treatment Regulation). The Equal Treatment Regulation provides that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the DOJ funded program, and participation in such activities must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of the beneficiary's religion. Notwithstanding any other special condition of this award, faith based organizations may in

some circumstances consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm

Non-discrimination in hiring and/or delivery of services and discrimination reporting

In accordance with the below listed applicable federal statutes as well as District non-discrimination requirements, grantees agree to not discriminate in their hiring practices and/or provision of services against any and all protected populations. In addition, grantees agree to notify OVS within 48 hours of any and all employee or beneficiary formal complaints of discrimination against their organization, and to more generally comply with all civil rights hiring and beneficiary service policies and procedures as identified in the below listed applicable statutes. Applicable statutes may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d); the Victims of Crime Act (42 U.S.C. 10604(e)) ; the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. 2000d); the Rehabilitation Act of 1973 (29 U.S.C. 794); the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-34); the Education Amendments of 1972 (20 U.S.C. 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. 6101-07); and the Department of Justice's regulations implementing these civil rights statutes at 28 C.F.R. pt. 35, 42, and 54; and Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

Insurance Requirement

All grantees will be required to provide in writing the name of all of its insurance carriers and the type of insurance provided (e.g., its general liability insurance carrier and automobile insurance carrier, workers' compensation insurance carrier, fidelity bond holder). OVS will provide additional guidance on all required documentation at the time of award.

Additional Requirements

OVS reserves the right to require additional certifications and/or information in accordance with applicable Federal or District requirements including the *City-Wide Grants Manual and Sourcebook*. OVS will provide written notice of any additional requirements at the time of the award.

Contingency Clauses

1. OVS reserves the right to make changes to this RFA, based on any clarifications in the regulations, legislative changes, or funding level fluctuations from the Federal and/or District government. Funding for grantees is contingent on continued funding from the grantor.
2. This RFA does not commit OVS to award grants or sub grants. OVS reserves the right to accept or reject any or all applications. The agency will notify all applicants of the rejected proposals. OVS may suspend or terminate an outstanding RFA pursuant to its own grant making rule(s) or any applicable Federal or District regulation or requirement.
3. OVS reserves the right to issue addenda and/or amendments subsequent to the RFA process or to rescind the RFA.
4. OVS shall not be liable for any costs incurred in the preparation of applications in response to RFA. Applicants agree that all costs incurred in developing the application are the applicants' sole responsibility.

5. OVS may conduct pre-award on-site visits to verify information submitted in the application and to determine if proposed facilities are appropriate for the proposed services.
6. OVS may require applicants to enter negotiations and submit a price, technical or other revision of their proposal that may result from negotiations.
7. If there are any conflicts between the terms and conditions of the RFA and any Federal or District law or regulation, or any ambiguity related thereby, then the provisions of the applicable law or regulation shall control and it shall be the responsibility of the applicant to ensure compliance.

Monitoring

The Grant Program Manager will monitor program services and grant administration pursuant to the terms of the grant agreement and will make onsite visits to the grantee's service facilities.

Monitoring efforts are be designed to determine generally the grantee's level of compliance with Federal and/or District requirements and identify specifically whether the grantee's operational, financial and management systems and practices are adequate to account for program funds in accordance with Federal and/or District requirements. Failure to be in compliance with requirements may result in payment suspension, payment reduction, or termination of the grant.

Risk Assessment Classification

A risk assessment classification system will be used to assist in determining the level of grantee monitoring to be performed and the frequency thereof. Based on the results of the risk assessment, OVS will classify grantees as "low-risk," "medium-risk" or "high-risk" in accordance with the *City-Wide Grants Manual and Sourcebook*. Such classification shall then determine how extensively a grantee is monitored.

Reporting

All grantees are required to submit monthly programmatic reports and financial requests for reimbursement. The programmatic reports indicate the status of the goals, performance measures as well as any successes or challenges encountered during the report period. The financial reports indicate the status of program spending by category and are submitted along with all receipts, invoices or other documentation of expenditures. Reports are due no later than the 15th day after the end of the reported month.

Inquiries

To ensure fairness and consistency, all questions not addressed in this RFA must be submitted in writing or by e-mail. **All questions must be received by C.O.B. (5pm) August 21, 2014.**

Questions and answers that result in an amendment to the RFA will be posted on the Office of Partnerships and Grant Development, District Grants Clearinghouse at:

<http://www.opgs.dc.gov>. Questions that can be answered by referring to sections of the RFA or that are specific to an applicant may be addressed by sending an email to ovs@dc.gov Attn: FY

[2014 Grant Application Inquiry](#). Oral explanations or instructions given prior to the award of grants will not be binding.

Performance Measurement

Performance measurement is a system of tracking progress for accomplishing goals, objectives and activities. They provide direction as well as a basis for evaluating progress and applicants who receive funding under this RFA must provide data that measures the results of their work. Accordingly, all applicants must develop a set of goals, objectives and activities that clearly illustrate how and when the identified services and needs of the target population(s) will be addressed. Goals are generally broad statements that encompass objectives and activities. Proposed objectives must describe a measurable outcome and activities should describe the specifics used to meet objectives.

Example of Goals, Objectives and Activities Format:

Goal 1: To ensure immediate safety to victims of domestic violence and sexual assault.

Objective 1: In FY 2014, 200 women and 125 children will utilize a total of 1,000 shelter nights.

Activity 1: Develop safety plans and provide case management to all identified victims of domestic violence and sexual assault.

Application Review Criteria

Applications will be reviewed and scored to determine which projects will be funded. The Office of Victim Services will give consideration to: eligibility of costs and project activities contained in the application based on the specific Federal and District grant requirements; past performance of the applicant (including compliance with provisions of grant or sub grant agreements); overall priorities of the District; amount of funds available to meet the requests; and known community need.

Application Scoring:

Proposal Overview (60)

- Demonstration of knowledge and experience (20)
 - Description of applicant's prior experience and demonstrated knowledge conducting activities listed in the Mandatory and Preferred Position Duties and Requirements.
 - Explanation of how prior experience and knowledge will assist the applicant in achieving goals and objectives.
- Grant activities to be conducted (20)
 - Detailed description of the project.
 - How the services provided will meet the identified goals and objectives.

- Goals and Objectives (20)
 - Measurable and specific to project.
 - Clearly outlines the activities of the project.

Fiscal Management (40)

- Managerial experience of the applicant described and clearly defines proposal management structure. Demonstrated record of providing effective services as outlined in the Mandatory Requirements and Duties.
- Budget is cost effective, reasonable and consistent with the level of effort stated or inferred in the description of the program.

Review Process and Decision on Awards

The Office of Victim Services may use either internal peer reviewers, external peer reviewers or a combination of both to review the applications. Applications will be screened initially to determine whether the applicant meets all eligibility requirements.

After completion of the screening process for eligibility, applications will be reviewed by a panel led by the DC Office of Police Complaints and members of the Victim Assistance Network that will provide input. The successful applicant will be selected by the Office of Police Complaints, subject to final approval of the Office of Victim Services. The final decision on the candidate chosen and the approved budget rests solely with the Director of the Office of Victim Services as established by the Sexual Assault Victims' Rights Amendment Act of 2014.

III. Proposal Instructions

All applicants are required to apply before September 26, 2014.

Description of Proposal Sections

The purpose and content of each section is described below. Applicants should include all information needed to adequately describe their plans for completing the goals and objectives of the position.

Proposal Overview

This section of the application must include:

- Description of the applicant's prior experience and demonstrated knowledge conducting activities listed in the Mandatory and Preferred Position Duties and Requirements.
- Explanation of how prior experience and knowledge will assist the applicant in achieving the goals and objectives of the Sexual Assault Victims' Rights Amendment Act of 2014.
- Detailed description of the applicant's plan to achieve the goals and objectives of the Sexual Assault Victims' Rights Amendment Act of 2014. Applicant's plan

should demonstrate their knowledge of best practices in victim-centered advocacy, law enforcement, prosecution, and medical forensic care for sexual assault victims.

- Proposal Work Plan which outlines a timeline of achieving all goals and objectives of the position. The successful applicant will be required to engage in a DC-specific training period prior to commencement of the contract, as determined by the Office of Victim Services. Report draft shall be due to the Office of Victim Services no later than May 1, 2015.

Project Budget

The Project Budget worksheet **must** be used in the preparation of the budget and budget narrative. Please refer to the specific instructions under each budget category in the Project Budget worksheet for more information on budget requirements.

OVS will provide the applicant with an office, portable computer equipment, access to the Internet, physical work station, and general office supplies. No budget may be included for these items.

OVS will allow budget for local travel only. No interstate travel costs or lodging costs are allowable.

PROJECT BUDGET

This Project Budget worksheet must be used in the preparation of the budget and budget narrative. Applicants are required to submit all requested information according to the instructions below.

A. PERSONNEL: List each position by title and name of employee. Show the annual salary rate, percentage of time to be devoted to the project and related cost to the grant. An explanation of the requested position(s) and their relationship to the proposed project activity must be included in the budget narrative. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
		<u>Total</u>
<u>Budget Narrative</u>		

B. FRINGE BENEFITS: Fringe benefits should be based on actual known costs or an established formula and **shall not exceed a rate of 30%**. Fringe benefits are for the personnel listed in the budget category (A) and only for the percentage of time devoted to the project.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
		<u>Total</u>
<u>Budget Narrative</u>		

C. TRAVEL: Provide the purpose of the local travel under the grant. **Requests for local travel will only be considered if the proposed use directly supports clients** and budget narrative must describe how the planned local travel is necessary for the success of the project

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
		<u>Total</u>
<u>Budget Narrative</u>		

D. CONSULTANTS/CONTRACTS: A description of the services to be procured by contract and an estimate of the cost must be provided. An explanation of the requested contractual activity and its relationship to the proposed project activity must be included in the budget narrative. Applicants are encouraged to promote free and open competition in awarding contracts. **Consultant rate cannot exceed \$650 per day.**

<u>Name</u>	<u>Computation</u>	<u>Cost</u>
		<u>Total</u>
<u>Budget Narrative</u>		

E. SUPPLIES: List the supplies that will be purchased under the grant and provide a description in the budget narrative explaining how the supplies are necessary for the success of the project. Include all known vendors.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
		<u>Total</u>
<u>Budget Narrative</u>		

F. EQUIPMENT: List the equipment that will be purchased under the grant and provide a description in the budget narrative explaining how the equipment is necessary for the success of the project. Include all known vendors.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
		<u>Total</u>
<u>Budget Narrative</u>		

G. OPERATING EXPENSES: List items by type (i.e. rent, utilities, telephone, etc.) that will be charged to the grant and provide a description in the budget narrative explaining how the requested item(s) are necessary for the success of the project. Include all known vendors.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
		<u>Total</u>
<u>Budget Narrative</u>		

PROJECT WORKPLAN

Organization:
Project Director:
Project Title:

Project Goal

Objective:	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr

Activities:

Project Goal

Objective:	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr

Activities:

Please use additional pages as necessary

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Executive Office of the Mayor

Statement of Certification

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Office of Victim Services determines to award the covered transaction or grant.

- Applicant is able to maintain adequate files and records and can and will meet all reporting requirements;
- Applicant is current on payment of all federal and District taxes, including Unemployment Insurance taxes and Workers' Compensation premiums. This statement of certification shall be accompanied by a certificate from the District of Columbia Office of Tax and Revenue (OTR) stating that the entity has complied with the filing requirements of District of Columbia tax laws and has paid taxes due to the District of Columbia, or is in compliance with any payment agreement with OTR;
- Applicant has the demonstrated administrative and financial capability to provide and manage the proposed services and ensure an adequate administrative, performance and audit trail;
- Applicant is able to secure a bond, in an amount not less than the total amount of the funds awarded, against losses of money and other property caused by fraudulent or dishonest act committed by any employee, board member, officer, partner, shareholder, or trainee;
- Applicant is not proposed for debarment or presently debarred, suspended, or declared ineligible, as required by Executive Order 12549, "Debarment and Suspension," and implemented by 2 CFR 180, for prospective participants in primary covered transactions and is not proposed for debarment or presently debarred as a result of any actions by the District of Columbia Contract Appeals Board, the Office of Contracting and Procurement, or any other District contract regulating Agency;
- Applicant has the financial resources and technical expertise necessary for the production, construction, equipment and facilities adequate to perform the grant or subgrant, or the ability to obtain them;
- Applicant has the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing and reasonably expected commercial and governmental business commitments;
- Applicant has a satisfactory record performing similar activities as detailed in the award or, if the grant award is intended to encourage the development and support of organizations without significant previous experience, that the applicant has otherwise established that it has the skills and resources necessary to perform the grant
- Applicant has a satisfactory record of integrity and business ethics;
- Applicant has the necessary organization, experience, accounting and operational controls, and technical skills to implement the grant, or the ability to obtain them;
- Applicant is in compliance with the applicable District licensing and tax laws and regulations;

- Applicant complies with provisions of the Drug-Free Workplace Act; and
- Applicant meets all other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations.
- All fiscal records are kept in accordance with Generally Accepted Accounting Principles (GAAP) and account for all funds, tangible assets, revenue, and expenditures whatsoever; that all fiscal records are accurate, complete and current at all times; and that these records will be made available for audit and inspection as required;
- If applicant is approved for a grant award, the grantee agrees to indemnify, defend and hold harmless the Government of the District of Columbia and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this grant or subgrant from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by the District on account of any claim therefore, except where such indemnification is prohibited by law.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Applicant Name

Address

Address

Application Number and/or Project Name

Applicant IRS/Vendor Number

Typed Name and Title of Authorized Official

Authorized Official Signature

Date

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Executive Office of the Mayor

Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Signature of this form provides for compliance with certification requirements under 28 CFR pt. 69, “New Restrictions on Lobbying” and 28 CFR pt. 67, “Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants).” The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Office of Victim Services determines to award the covered transaction or grant.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR pt. 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR pt. 69, the applicant certifies that:

- a. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influence or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
- b. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, “Disclosure of Lobbying Activities (attached), in accordance with its instructions;
- c. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, Contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR pt. 67, for prospective participants in primary covered transactions, as defined at 28 CFR pt. 67, Section 67.510—Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR pt. 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR pt. 69, the applicant certifies that:

- A. The applicant certifies that it and its principals:
Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency; Excluded Parties List can be found at <http://epls.arnet.gov>.

- a. Have not within a three year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - b. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - c. Have not within a three year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and
- B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug Free Workplace Act of 1988, and implemented at 28 CFR pt. 67, subpt. F. for grantees, as defined at 28 CFR pt. 67 Sections 67.615 and 67.620—

- A. The applicant certifies that it will or will continue to provide a drug free workplace by:
- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - b. Establishing an on-going drug free awareness program to inform employees about—
 - i. The dangers of drug abuse in the workplace;
 - ii. The grantee's policy of maintaining a drug-free workplace;
 - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - e. Notifying the agency, in writing, within 10 calendar days after receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title to: Office of Victim Services, 1350 Pennsylvania Avenue, N.W., Suite 407, Washington, DC. 20004. Notice shall include the identification number(s) of each affected grant;

- f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is convicted –
 - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, State, or local health, law enforcement, or other appropriate agency;
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance:

Street address and zip code

Check ____ if there are workplaces on file that are not identified here.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR pt. 67, subpt. F, for grantees, as defined at 28 CFR pt. 67; Sections 67.615 and 67.620:

- A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and
- B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing within 10 calendar days of the conviction, to: Office of Victim Services, 1350 Pennsylvania Avenue, N.W., Suite 407, Washington, DC 20004.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Applicant Name

Address

Application Number and/or Project Name

Applicant IRS/Vendor Number

Typed Name and Title of Authorized Representative

Authorized Representative Signature

Date

STANDARD ASSURANCES

The applicant hereby assures and certifies compliance with all federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars A-21, A-87, A-110, A-122, A-133; Executive Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for the grant and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to ensure proper planning, management, and completion of the project described in this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. It will give the sponsoring agency of the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
4. It will comply with all applicable federal civil rights laws ; and comply with federal regulation 28 C.F.R. pt. 38, governing "Equal Treatment for Faith-based Organizations" (the Equal Treatment Regulation). The Equal Treatment Regulation provides that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the DOJ funded program, and participation in such activities must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of the beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may in some circumstances consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm
5. It will assist the federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC §470), Executive Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 USC §469a-1 et. seq.) and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321). By (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Pt 800.8) by the activity, and notifying the federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the federal grantor agency to avoid or mitigate adverse effects upon such properties.
6. It will comply (and will require any sub-grantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. §794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations). It will provide meaningful access to their programs and activities for persons with Limited English Proficiency (LEP) pursuant to the DC Language Access Act of 2004 and Title VI of the Civil Rights Act of 1964.
7. If a governmental entity –
 - a. will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
 - b. it will comply with requirements of 5 U.S.C. §§ 501-08 and §§7324-28, which limit certain political activities of State or local government employees whose principle employment is in connection with an activity financed in whole or in part by federal assistance.

Authorized Official

Date

